



ENHANCED LANDSCAPED PLANTING DEMONSTRATION PROGRAM

JULY 2009

**CALIFORNIA DEPARTMENT OF TRANSPORTATION
ENHANCED LANDSCAPE PLANTING (ELP) DEMONSTRATION PROGRAM GUIDELINES**

These guidelines shall establish the parameters of the Enhanced Landscape Planting (ELP) Demonstration Program and may be revised at the discretion of the California Department of Transportation (Caltrans) at any time to accommodate new or unforeseen issues.

The ELP Demonstration Program is available in Districts 4, 7, 11 and 12, and will be available beginning April 1, 2008 and will continue until March 31, 2011. The intent of this program is to permit others to provide for the improvement and maintenance of existing highway landscaping and/or un-landscaped portions of the State highway right-of-way by means of adoption.

DEFINITIONS

ADOPTER: An individual, business, corporation, local agency or organization approved by Caltrans who chooses to adopt existing highway landscaping with the intent to install, establish, and maintain an ELP.

AAH: Adopt-A-Highway

CONTRACTOR: The licensed Landscape contractor, C-27, who has been hired to install and maintain the ELP.

COURTESY SIGN: The sign placed to recognize the adopter or sponsor.

DISTRICT: One of the twelve Caltrans districts. Each district consists of one or more California counties.

ELP: A portion of highway right-of-way adopted for the purpose of enhancing the existing planting. The ELP consists of the ELP Area and the ELP Site. The location of proposed ELP(s) shall be approved in writing by the District Landscape Architect and District Maintenance representative. Preference shall be given to sites that use recycled or non-potable water for irrigation.

ELP AREA: Minimum three (3) acres of existing highway planting that is to be maintained by the adopter. The actual number of acres to be maintained will be determined by the District Landscape Architect based upon the configuration of the existing irrigation system. This area may surround the ELP site or, at the discretion of the District Landscape Architect and District Maintenance, may be located elsewhere on the State Highway System.

ELP HIGHWAY IMPROVEMENT AGREEMENT (ELP-HIA): The Document required for the installation and maintenance of an ELP.

ELP SITE: Minimum one-quarter (1/4) acre to a maximum of one-half (1/2) acre of enhanced landscaping, as determined by site conditions and the proposed design.

PERMIT: Encroachment Permit issued by Caltrans pursuant to Streets and Highways Code starting with Section 660. Provides permissive authority for the permittee to enter State highway right of way to construct approved facilities or conduct specified activities. An encroachment permit is a valid contract when accepted by the permittee. Acceptance is acknowledged when any of the specified acts or work is performed under the conditions of the permit.

PERMIT APPLICATION: Standard Encroachment Permit Application TR-1000.

RECOGNITION PANEL: The white, rectangular portion of the courtesy sign where the adopter or sponsor's name is displayed.

SPONSOR: An individual or a company that provides financial support for the ELP.

ELIGIBILITY

Individuals, businesses, corporations, local agencies and organizations, except for entities that advocate violence, violation of the law, or discrimination based upon race, religion, color, national origin, ancestry, physical handicap, medical condition, marital status, age, sex, or sexual orientation may apply to participate.

The ELP Demonstration Program authorizes the adoption of up to a maximum of fifty (50) ELP sites by a single adopter within each Caltrans District.

ELP SITE CRITERIA

Factors taken into consideration when sites are reviewed are:

- 1) Worker Safety: There must be safe access for participants to enter, exit, and work along the site. Access to and from the work site shall be from outside the State's right-of-way line. If a vehicle or other equipment is needed during construction or maintenance, there must be adequate parking space available off of paved shoulder and at least six feet from the traffic lane. Paved maintenance vehicle pullouts may be used. Placement of *any* traffic control delineation shall be placed, maintained and removed by a California Licensed Traffic Control Contractor, C – 31. Lane and shoulder closures are not permitted.
- 2) Location of Work: The ELPs must meet minimum mileage/acreage requirements. ELPs are not permitted in medians.

PROGRAM REQUIREMENTS

The adopter shall comply with all State and Federal laws including but not limited to the Department's National Pollution Discharge Elimination System (NPDES) Permit.

The design of the ELP site and any other areas within the ELP area shall not incorporate logos, corporate references, text, or implied messages.

ELP sites shall be located no closer than one mile apart, in either direction of travel on the same route. ELP sites shall be located outside of the clear recovery zone and a minimum of ten feet from the right-of-way fence.

The ELP site shall be located in such a manner to minimize disturbance to existing slopes and drainage systems. Plantings should not cause a distraction to the traveling public.

All proposals for supplemental lighting shall incorporate solar powered lighting, and shall not impair driver vision or create a distraction to the traveling public.

ELP sites shall be planted primarily with living plant material. Limited quantities of mulch, concrete, rock or other non-living material may be allowed within the ELP site and ELP area at the discretion of the District Landscape Architect.

The cutting or removal of existing vegetation within the proposed ELP site and ELP area is not allowed, unless specifically approved in writing by both the District Landscape Architect and District Maintenance representative.

Improvements to the ELP site shall be located and constructed in conformance with all applicable Department standards. Wood header boards may be used to separate planting areas. Tree stakes may be used to stabilize young trees.

Improvements to ELP sites, including irrigation systems, shall be located, constructed and operated so that they do not interfere with current drainage or increase storm water discharge from the right-of-way.

Lane closures are not permitted. No work will be allowed within 6' of a travel lane.

Approval by the District Landscape Architect is required for any changes to the design of the ELP within the adoption period.

SAFETY ORIENTATION

A safety orientation is provided by Caltrans to ensure that the contractor's crew leader has received notice of the requirements set forth in their permit. Site-specific information is discussed for each ELP location.

RESPONSIBILITIES

ADOPTER

COST: The cost for materials, installation, establishment and maintenance of the ELP site(s) and ELP area(s) shall be the sole responsibility of the adopter, including replacement or repair of existing facilities or materials stolen or damaged by vandalism or errant vehicles. The adopter shall make all necessary repairs within 48 hours after receipt of written or oral notification by the Department's Maintenance representative.

BONDING AND LIABILITY INSURANCE: The adopter will be required to submit and maintain a \$50,000 Performance Bond for the life of each individual ELP adoption site within each District, a \$250,000 Performance Bond for a group of up to ten (10) ELP adoption sites, a \$1,000,000 Performance Bond for a group of up to twenty-five (25) ELP adoption sites or a maximum of a \$2,000,000 Performance Bond for up to fifty (50) ELP adopted sites. The landscape contractor will be required to post a \$10 million dollar general liability insurance policy per district.

REMOVAL: The adopter, upon notification by the Department, will be required to remove, repair or replace all or part of the ELP site that falls below the Department's requirements.

WATER CONSERVATION: The adopter shall comply with all local water restrictions and conservation requirements. Watering schedules shall be provided by the adopter and approved by the District Landscape Specialist prior to installation of the ELP.

DEPARTMENT

REVIEW AND APPROVAL: The District Landscape Architect is responsible for oversight of the program. The District Landscape Architect will approve the design and location of ELP sites.

The District AAH Coordinator will approve potential adopters and sponsors and will review and approve recognition panel elements.

District Design and Traffic Operations will review all proposals which include supplemental lighting.

INSPECTION: Caltrans District Office of Construction will provide Independent Quality Assurance (IQA) on the initial ELP installation, and District Landscape Specialist will provide IQA for maintenance compliance, backflow preventer testing and irrigation system operation.

AS-BUILTS: The District Landscape Architect will provide "as-built" plans of proposed ELP(s) to the adopter.

PROCESS

REQUEST: Form DOD-001, Request for an ELP Adoption initiates the ELP process. Form DOD-001 and a site map showing the general location for the proposed ELP shall be submitted to the office of the District AAH Coordinator. The form and site map will then be forwarded to the District Landscape Architect for review and approval. Form DOD-001 is available @ Caltrans website.

The Department will review the ELP Request for Adoption and provide comments to the potential adopter within thirty (30) calendar days after receipt.

INITIATION PERIOD: The *Initiation Period* will be a maximum of one hundred and eighty calendar days (6 months), from the date of approval of the Request for ELP Adoption. This period will allow an adopter sufficient time to retain a sponsor(s) and develop plans for the ELP site(s).

The District Landscape Architect will provide the potential adopter with an "As-Built" plan of the potential ELP site(s) and ELP area(s) and meet with the applicant to discuss the proposal within twenty (20) calendar days after approval of the Request for an ELP Adoption.

Upon approval of the sponsor(s) by the District AAH Coordinator and approval of the ELP plans by the District Landscape Architect, the adopter will enter into an ELP-HIA, for the development of ELP site(s).

A written request to the District Landscape Architect for a one time extension of ninety calendar days (3 months) may be granted if no other requests have been received for the area.

The District Landscape Architect shall determine the appropriate size for each ELP site and ELP area, and obtain concurrence from the Maintenance Representative. The size and location of the ELP area will be determined by an entire irrigation system(s) that may be isolated from adjacent irrigation systems. ELP area limits may be identified based on the limits of a particular water meter, irrigation controller, or other basis as appropriate.

Upon expiration of the Initiation Period, the Department will require the adopter to relinquish all ELP site locations with incomplete proposals.

AGREEMENT: The adopter will enter into an ELP-HIA for the installation, establishment, and maintenance of ELP site(s) and ELP area(s).

The Agreement provides the terms of adoption and recognition. The Agreement specifies all ELP design, installation, establishment, and maintenance requirements.

The following documentation is required:

1. Scale drawing of the proposed ELP site design and ELP area to be maintained.
2. Scale drawing of the proposed revisions to the existing irrigation system.
3. Scale drawing of any proposed revisions to existing highway planting.
4. Fully executed contract between the adopter and sponsor of the ELP, if these are different entities.
5. Specifications for all proposed planting and irrigation design and installation activities.
6. Work plan, including anticipated work dates for installation, establishment and maintenance of the ELP.

Scale drawings shall be prepared from Department "As-Builts" of the ELP site and ELP area.

Adopters are required to submit six (6) sets of folded plans of each ELP proposal. Plans shall be folded to a size of 8 ½" x 11".

A California Licensed Landscape Architect, in compliance with departmental standards and guidelines, shall design and prepare the ELP plans.

PERMIT: After approval of the ELP-HIA and prior to the start of any work on the ELP, an Encroachment Permit, Standard Encroachment Permit Application TR-0100, shall be obtained by the Landscape Contractor performing the installation and maintenance of the ELP. In accordance with Statute 671.1 the Department has established a fee schedule and charges a fee

for the issuance of encroachment permits, except to public corporations. Encroachment permit fees are calculated in the Estimation of Deposit section of the Request for Enhanced Landscape Planting Adoption form.

INSTALLATION AND MAINTENANCE

The landscape contractor must commence and complete installation, and begin maintenance of the ELP site(s) within ninety (90) calendar days after issuance of the permit.

The landscape contractor must commence maintenance of the ELP area, including highway landscaping and irrigation, within thirty (30) calendar days after issuance of the permit.

Upon expiration of the ninety (90) day period, any ELP sites not fully completed shall be returned to their original condition or to a condition as stipulated by the State's Representative and relinquished to the State.

A written request to the Oversight Resident Engineer/Inspector for a one time extension of ninety-days (3 months) may be granted on ELP site(s) that are 80% or more completed, to allow for the completion of the ELP site(s)

Installation and maintenance of the ELP shall be performed by a licensed Landscape Contractor, C-27. Installation and maintenance shall include all materials and labor involved in the care of the ELP and existing highway landscaping, including, but not limited to:

1. Check and test of existing irrigation system(s) and making necessary repairs,
2. Operation, repair and upkeep of existing irrigation facilities,
3. Replacement of irrigation facilities damaged by any reason during the adoption period,
4. Pruning,
5. Fertilizing and care of existing and proposed plant materials,
6. Replacement of dead or dying plants,
7. Weed control,
8. Rodent and other pest control,
9. Removal of litter,
10. Water use

The ELP adopter is responsible for litter collection within the ELP. If the ELP is currently adopted by an AAH sponsor for litter collection the AAH sponsor will be exempt from performing litter collection within the limits of the ELP.

The adopter shall implement water conservation methods and efforts. In the event of a drought and/or the local water provider implements restrictions that eliminate the ability to irrigate the ELP, the site shall be removed and restored to its original condition.

Only those pesticides approved by and for Department use may be used for vegetation control. Pesticide use may be prescribed only by a licensed Pest Control Advisor and may be applied only by a Qualified Pesticide Applicator, in conformance with Department policies.

The use of pesticides, the methods and rates of application, and proposed areas shall be pre-approved in writing by the District Landscape Specialist. A report detailing the chemical(s) applied, date of application, and quantity of chemical used must be reported to the District Landscape Specialist within three (3) calendar days of application.

Irrigation system repairs shall be accomplished on a continuous basis as needed to maintain the health of all plant materials in the ELP area. Any damage to the irrigation system that is reported to the adopter by the Department shall be repaired within forty-eight (48) hours of notification.

Water supply and interruption conditions:

1. The adopter's contractor shall notify the Department three (3) calendar days prior to shutting off the water supply to any portion of the existing irrigation system.
2. If the work causes a continuous interruption of water supply for more than three consecutive calendar days, the adopter's contractor shall water at their-own expense, all existing and proposed planting in the area irrigated from that water source as often as necessary to maintain healthy plant growth. The adopter's contractor shall replace existing plants that die due to lack of watering.

New or relocated backflow prevention devices shall be tested for proper operation by a backflow preventer tester certified by the County and recertified annually. Any necessary repairs to existing backflow prevention devices shall be done at the Adopter's expense. All work on existing irrigation systems shall be inspected with a Landscape Specialist for proper operation.

Damage to slopes, plants, irrigation systems and other highway facilities within the ELP area occurring as a result of rain, freezing conditions or drought during the adoption period shall be repaired by the adopter.

If the adopter is unwilling, or unable to meet the conditions of the ELP-HIA, or is disqualified by the Department, the ELP site(s) and ELP area(s) will be made available to other potential adopters.

RECOGNITION

Caltrans may recognize contributions made through the ELP Program by installing a courtesy sign. Although there is advertising value inherent in the signs, they are not intended to be an advertising medium. Their sole purpose is to identify the adopter or sponsor, not to advertise what services the adopter or sponsor provides, what products they sell, or where they are located. The ELP and the courtesy signs are not a forum for advertisement, solicitation, or public discourse for participants.

The Department allows the placement of a courtesy recognition panel to identify the ELP adopter or sponsor(s). These panels shall conform to the requirements of the ELP Recognition Panel Design Guidelines.

The adopter shall submit an AAH Permit Application, Form TR-0103, when submitting the HIA-ELP to request the installation of a courtesy sign. The AAH Permit Application, Form TR-0103, is available from the District AAH Coordinator.

All panel elements must be reviewed and approved by the District AAH Coordinator. In all circumstances the appearance and content of recognition panels is solely determined by the Department.

Recognition panels shall be placed no closer than one mile apart in any direction of travel

Location and placement of the courtesy recognition panel will be at the discretion of the District's Division of Traffic Operations.

Courtesy signs and recognition panels will be provided, installed and maintained by Caltrans for each ELP at no cost to the adopter. However, adopters may incur some cost for the artwork to be displayed on their recognition panel.

If a courtesy sign and/or recognition panel is vandalized, Caltrans will replace or repair it as needed. However, maintenance, repair, and/or replacement of warning signs, and regulatory signs have priority over repair and/or replacement of courtesy signs. If a custom panel must be replaced, Adopters will have the option to provide another custom panel or to have Caltrans provide a standard panel at no cost.

OTHER

Terms and conditions for site performance shall conform to the existing Adopt-A-Highway Program Guidelines.

Caltrans reserves the right to cancel the ELP-HIA and remove ELP facilities with a 72-hour notice and charge the adopter for all costs associated with the removal and restoration of the site(s).

THESE GUIDELINES ARE SUBJECT TO CHANGE AT THE DISCRETION OF THE DEPARTMENT. IT IS THE RESPONSIBILITY OF THE ADOPTER/SPONSOR TO REMAIN CURRENT WITH THE SPECIAL PROVISIONS AND CONDITIONS OF THESE GUIDELINES.